

Proceedings of the Arizona Game and Fish  
Commission License Revocation and Civil  
Assessment Hearings  
Time Certain – 2:00 p.m.  
Friday, April 12, 2013  
Arizona Game and Fish Department  
5000 West Carefree Highway  
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director's Staff)

Vice Chairman John W. Harris  
Commissioner Robert E. Mansell  
Commissioner Kurt R. Davis  
Commissioner Edward "Pat" Madden

Director Larry D. Voyles  
Deputy Director Ty E. Gray  
Assistant Attorney General Jim Odenkirk  
Assistant Attorney General Linda Pollock

Chairman Husted was not present.

Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments  
for the Illegal Taking and/or Possession of Wildlife

**Presenter:** Gene Elms, Law Enforcement Branch Chief

Mr. Elms presented the cases below to the Commission. Each of these cases were reviewed and it was determined that all cases met the criteria established in A.R.S. §17-238, §17-245 §17-314, §17-340, §17-362, §17-363 and/or §17-502 for Commission action. The Commission and the respondents were provided with copies of the original court docket and case reports prepared by the officers along with copies of all other pertinent materials in each of these cases. Each of the following individuals was legally noticed for this hearing.

Name	Docket #	Count	Conviction
Waggoner, Jon R.	2013-0013	Count B:	Possess Wildlife Without Tag Attached (Bear)
Wright, Jory D.	2013-0015	Count A:	Take Wildlife Without Permit/Tag (Turkey)
Anderson, Richard	2013-0017	Count A:	Obtain 2009 Resident Lifetime Hunting License by Fraud
		Count B:	Obtain 2009 Resident Lion Tag by Fraud
Bobier, Beau	2013-0018	Count A:	Possession of Unlawfully Taken Wildlife (Trout)
		Count B:	Exceed Bag Limit (Trout)
Love, Dale	2013-0019	Count A:	Possession of Unlawfully Taken Wildlife (Trout)
		Count B:	Exceed Bag Limit (Trout)
Cordova, Anthony B.	2013-0025	Count B:	Possession of Unlawfully Taken Wildlife (Elk)
Samorana, Rudy C.	2013-0016	Count A:	Attach Tag to Wildlife Not Taken
Samorana, David M.	2013-0034		No Conviction, Civil Assessment Only

Roll call was taken and the following were present: Jory Wright, Beau Bobier, Dale Love and Anthony Cordova.

Mr. Elms stated that the civil assessment process is not intended to be punitive, but is a process allowing the Commission to recover financial damages to compensate the State for the loss of any wildlife. Hunter Education requirements are imposed as a remedial measure to increase knowledge and prevent future violations and not as punishment. The Commission was asked to consider and take action on the license revocations and/or civil assessments for the individuals listed above.

**Motion:** Mansell moved and Davis seconded THAT THE COMMISSION VOTE TO TAKE JURISDICTION IN THESE CASES.

**Vote:** Unanimous

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Jory D. Wright

Docket # 2013-0015

Wright was found guilty by the Williams Justice Court for: Count A: Take wildlife without license in possession; sentenced: Fined: \$280.00.

Case Officer was present.

Joshua Greer, representing his client Jory Wright, addressed the Commission requesting leniency and stating that Mr. Wright has been hunting for many years and this is his first offense. Additionally, Mr. Wright is voluntarily taking the Hunter Education Course.

Wright was present and addressed the Commission stating that he did not claim to have a turkey tag, just a license and deer tag, which he was on his way back to camp to retrieve when he came across the turkey decoy. He didn't intend to shoot the turkey, he thought it would run away and he was just seeing how close he could get. His arrow was nocked, but he never drew back. Mr. Wright stated that he has learned from this experience and expressed his remorse to the Commission.

**Motion:** Madden moved and Davis seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **JORY D. WRIGHT TO HUNT, FISH, AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **ONE (1) YEAR**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Motion:** Mansell moved and Madden seconded THAT THE COMMISSION VOTE TO AMEND THE MOTION TO 6 MONTHS REVOCATION PERIOD.

**Vote:** Unanimous  
4 to 0

**Amended Motion:** Madden moved and Davis seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF JORY D. WRIGHT TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF SIX (6) MONTHS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous  
4 to 0

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Beau W. Bobier  
Docket # 2013-0018

Bobier was found guilty by the Flagstaff Justice Court for: Count A: Possession of unlawfully taken wildlife; Count B: Exceed bag limit; and sentenced: Combined fine: \$185.00.

Case Officer Fabian was present.

Bobier was present and addressed the Commission to apologize for his actions. He did not want to participate in lying, so he owned up to it and came here today to pay the price for what he did.

Commissioner Davis thanked Mr. Bobier for his words and actions.

**Motion:** Mansell moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF BEAU W. BOBIER TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER UNTIL THE HUNTER EDUCATION COURSE IS COMPLETED; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST BEAU W. BOBIER TO COLLECT THE AMOUNT OF \$550.00 FOR THE LOSS OF ELEVEN (11) GAME FISH (TROUT); AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED

TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous  
4 to 0

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Dale E. Love  
Docket # 2013-0019

Love was found guilty by the Flagstaff Justice Court for: Count A: Possession of unlawfully taken wildlife; Count B: Exceed bag limit; and sentenced: Combined fine: \$185.00.

Case Officer Fabian was present.

Love was present and addressed the Commission stating that he was sorry for his actions. He deeply regrets the situation that his actions have put him in. He did not lie and has been compliant with Game and Fish.

**Motion:** Harris moved and Davis seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF DALE E. LOVE TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER UNTIL THE HUNTER EDUCATION COURSE IS COMPLETED; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST DALE E. LOVE TO COLLECT THE AMOUNT OF \$550.00 FOR THE LOSS OF ELEVEN (11) GAME FISH (TROUT); AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous  
4 to 0

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Anthony B. Cordova  
Docket # 2013-0025

Cordova was found guilty by the Snowflake Justice Court for: Count B: Possession of unlawfully taken wildlife; and sentenced: Fined \$150.00.

Cordova was present and addressed the Commission. He had his vehicle out in the field and his four children with him in the vehicle, but he did not shoot from his vehicle. Mr. Cordova explained the circumstances of what happened to the Commission. He did not know that he was doing anything wrong to drive out to the animal and he did not use the vehicle as an aid to get closer to the animal so he could shoot it.

Case Officer Clay was available via video teleconference and answered questions for the Commission.

**Motion:** Harris moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF ANTHONY B. CORDOVA TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF ONE (1) YEAR; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Commissioner Harris stated that he did not ask for civil assessment because Mr. Cordova had a hunting license and a tag and there is no indication that he didn't tag the animal. The revocation period is for the hunting activity.

Commissioner Davis asked if Commissioners Harris and Madden would consider a two year revocation.

Commissioners Harris and Madden concurred.

**Motion Restated:** Harris moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF ANTHONY B. CORDOVA TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF TWO (2) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous

4 to 0

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Jon R. Waggoner

Docket # 2013-0013

Waggoner was found guilty by the Flagstaff Justice Court for: Count B: Possess wildlife without tag attached; and sentenced: Fined: \$407.00.

Waggoner was not present.

Mr. Elms provided the Commission with two letters, one from Jason Squires, Mr. Waggoner's previous attorney and one from Mr. Waggoner himself.

The Commission took a few minutes to read the letters.

Case Officer Lautzenheiser was present via video teleconference and answered questions for the Commission.

Commissioner Davis commented that Mr. Squires mentions in his letter about how a previous violation was dropped because of an illegal GPS tracker. Commissioner Davis' understanding is that the GPS tracker was legal and then a court decision subsequently changed the law about their legality. It was not the case of the Game and Fish Department using an illegal matter in this case, which the letter alludes to. For the record, Commissioner Davis confirmed with Officer Clay that the tracker was legal and that this was a timing issue related to when this happened and then the subsequent court opinion.

**Motion:** Davis moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF JON R. WAGGONER TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST JON R. WAGGONER TO COLLECT THE AMOUNT OF \$1,500.00 FOR THE LOSS OF ONE (1) BLACK BEAR; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous  
4 to 0

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Richard A. Anderson

Docket # 2013-0017

Anderson was found guilty by the Flagstaff Justice Court for: Citation 231131: Count A: Obtain 2009 resident license by fraud; Count B: Obtain 2009 resident lion tag by fraud; and sentenced: Combined fine: \$800.00.

Anderson was not present.

Mr. Elms provided the Commission with a letter from Daniel Kaiser, Mr. Anderson's attorney, which included an attached letter from Mr. Anderson. Mr. Elms read the letters to the Commission.

Case Officer Nemlowill was present via video teleconference.

**Motion:** Madden moved and Mansell seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **RICHARD A. ANDERSON** TO **HUNT, FISH, AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FIVE (5) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **RICHARD A. ANDERSON** TO COLLECT THE AMOUNT OF **\$1,500.00** FOR THE LOSS OF **ONE (1) ELK**; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous  
4 to 0

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David M. Samorano  
Docket # 2013-0034

The Department asserts that David M. Samorano was responsible for the loss of one (1) mule deer buck.

The Case Officer was available via video teleconference.

Samorano was not present.

Mr. Elms informed the Commission that there was an error on Mr. Samorano's notice of hearing and that Mr. Samorano showed up for his hearing this past Tuesday. Mr. Samorano is not present at this meeting, but provided a letter which Mr. Elms read to the Commission.

Commissioner Mansell noted that the Department error is significant and makes him look at this case in a different light.

**Motion:** Davis moved and Madden seconded THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST DAVID M. SAMORANO TO COLLECT THE AMOUNT OF \$1,500.00 FOR THE LOSS OF ONE (1) MULE DEER BUCK; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous  
4 to 0

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Rudy C. Samorano  
Docket # 2013-0016

Samorano was found guilty by the Cochise County Justice Court #3 for Count A: Attach tag to another kill (mule deer); and sentenced: Fined: \$511.60.

The Case Officer was available via video teleconference.

**Motion:** Davis moved and Harris seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO ACCEPT THE SURRENDER OF A PIONEER COMBO HUNTING AND FISHING LICENSE AND A CHAMP PERMIT FROM MR. RUDY C. SAMORANO TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA.

**Vote:** Unanimous  
4 to 0

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These hearings concluded at 3:20 p.m.

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